

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

RED BARN MOTORS, INC., PLATINUM)
MOTORS, INC., and MATTINGLY AUTO)
SALES, INC., individually and on behalf of)
other members of the general public similarly)
situated,)

Plaintiffs,)

v.)

NEXTGEAR CAPITAL, INC. f/k/a DEALER)
SERVICES CORPORATION,)

Defendant.)

Acknowledged

TWP

January 26, 2021

Case No. 1:14-cv-01589-TWP-DLP

JOINT STATUS REPORT

Pursuant to the Court's November 24, 2020 Order [Doc. 355], the parties jointly submit this report on the status of settlement negotiations. The parties have been working diligently to effectuate the settlement of this action. Plaintiffs, working with the class administrator, proposed a plan of allocation of settlement funds and for notice to the class. The parties have engaged in discussions regarding those proposals and have reached agreement on the general approach, although some details still remain to be finalized. Counsel for NextGear is preparing a draft of the formal definitive settlement agreement and expects to be able to provide a draft to Plaintiffs' counsel no later than February 8, 2021.

Additionally, in accordance with the Court's January 6, 2020 Order [Doc. 358], NextGear has mailed notice to 94 dealers informing them that they are not members of the class. The parties have also worked with the class administrator to clean up the class list and associated mailing addresses.

Respectfully submitted, this 25th day of January, 2021.

/s Tracey K. Ledbetter

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served upon the following counsel of record via the Court's electronic service notification system, this 25th day of January, 2021:

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